

Message

---

**From:** Qian, Yaorong [qian.yaorong@epa.gov]  
**Sent:** 5/4/2021 6:05:47 PM  
**To:** Nesci, Kimberly [Nesci.Kimberly@epa.gov]; Nguyen, Thuy [Nguyen.Thuy@epa.gov]  
**Subject:** RE: Additional testing  
**Attachments:** Information to KH Attorney\_TLN\_KN 04052021.docx

Kimberly,

**Ex. 5 Deliberative Process (DP)**

Thanks,

Yaorong

---

**From:** Nesci, Kimberly <Nesci.Kimberly@epa.gov>  
**Sent:** Tuesday, May 04, 2021 1:59 PM  
**To:** Qian, Yaorong <qian.yaorong@epa.gov>; Nguyen, Thuy <Nguyen.Thuy@epa.gov>  
**Subject:** FW: Additional testing

This fell off my radar! Sorry about that. Can you pull up the cleared info and answer Matt?

---

**From:** Harney, Matthew B. <harney@khlaw.com>  
**Sent:** Tuesday, May 4, 2021 1:23 PM  
**To:** Qian, Yaorong <qian.yaorong@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Nguyen, Thuy <Nguyen.Thuy@epa.gov>  
**Cc:** Goodis, Michael <Goodis.Michael@epa.gov>  
**Subject:** RE: Additional testing

Hi folks,

Just checking in to see if there is any news.

Thanks,  
Matt

Matthew B. Harney, PhD  
Scientist  
**KELLER AND HECKMAN LLP**  
tel: 202.434.4126 | fax: 202.434.4646 | [harney@khlaw.com](mailto:harney@khlaw.com)  
1001 G Street, N.W., Suite 500 West | Washington, D.C. 20001

*Join our mailing list to receive industry specific information and invitations to seminars and webinars from Keller and Heckman LLP.*

---

**From:** Harney, Matthew B.  
**Sent:** Wednesday, April 14, 2021 11:10 AM  
**To:** Qian, Yaorong <qian.yaorong@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Nguyen, Thuy <Nguyen.Thuy@epa.gov>

Cc: Goodis, Michael <Goodis.Michael@epa.gov>

Subject: RE: Additional testing

Hello Yaorong,

I am following up on my voicemail on Monday to check in to see if there is any information you are able to share. If not, it would be helpful to know approximately when such information might be available. Our client is anxious to start testing but want to ensure that the test labs take in consideration EPA's most current thinking on a testing protocol.

Thanks,  
Matt

Matthew B. Harney, PhD  
Scientist

**KELLER AND HECKMAN LLP**

tel: 202.434.4126 | fax: 202.434.4646 | [harney@khlaw.com](mailto:harney@khlaw.com)

1001 G Street, N.W., Suite 500 West | Washington, D.C. 20001

*Join our mailing list to receive industry specific information and invitations to seminars and webinars from Keller and Heckman LLP.*

---

**From:** Harney, Matthew B.

**Sent:** Thursday, April 8, 2021 2:21 PM

**To:** Qian, Yaorong <[qian.yaorong@epa.gov](mailto:qian.yaorong@epa.gov)>; Nesci, Kimberly <[Nesci.Kimberly@epa.gov](mailto:Nesci.Kimberly@epa.gov)>; Nguyen, Thuy <[Nguyen.Thuy@epa.gov](mailto:Nguyen.Thuy@epa.gov)>

**Cc:** Goodis, Michael <Goodis.Michael@epa.gov>

**Subject:** RE: Additional testing

Hello Yaorong,

Do you have any information that you're able to share at this time? Even if it is only preliminary thoughts that are subject to change, it may be quite helpful to us at this time.

I apologize for being a bother, but there are folks leaning on me to provide some information.

Thanks in advance,  
Matt

Matthew B. Harney, PhD  
Scientist

**KELLER AND HECKMAN LLP**

tel: 202.434.4126 | fax: 202.434.4646 | [harney@khlaw.com](mailto:harney@khlaw.com)

1001 G Street, N.W., Suite 500 West | Washington, D.C. 20001

*Join our mailing list to receive industry specific information and invitations to seminars and webinars from Keller and Heckman LLP.*

---

**From:** Qian, Yaorong <[qian.yaorong@epa.gov](mailto:qian.yaorong@epa.gov)>

**Sent:** Monday, April 5, 2021 1:05 PM

**To:** Harney, Matthew B. <harney@khlaw.com>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Nguyen, Thuy <Nguyen.Thuy@epa.gov>  
**Cc:** Goodis, Michael <Goodis.Michael@epa.gov>  
**Subject:** RE: Additional testing

Sorry, Matt, that we are a bit slow in response. We will provide you some information on our testings soon.

*Yaorong Qian, Ph.D*

Senior Chemist  
Analytical Chemistry Branch  
BEAD, Office of Pesticide Programs  
U.S. EPA  
701 Mapes Rd.  
Ft. Meade, MD 20755  
410-305-2636

---

**From:** Harney, Matthew B. <harney@khlaw.com>  
**Sent:** Monday, April 05, 2021 12:59 PM  
**To:** Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Nguyen, Thuy <Nguyen.Thuy@epa.gov>; Qian, Yaorong <qian.yaorong@epa.gov>  
**Cc:** Goodis, Michael <Goodis.Michael@epa.gov>  
**Subject:** RE: Additional testing

Hi folks,

Just checking in on the question below. We would really value some feedback as soon as possible.

Thanks,  
Matt

Matthew B. Harney, PhD  
Scientist  
**KELLER AND HECKMAN LLP**  
tel: 202.434.4126 | fax: 202.434.4646 | [harney@khlaw.com](mailto:harney@khlaw.com)  
1001 G Street, N.W., Suite 500 West | Washington, D.C. 20001

*Join our mailing list to receive industry specific information and invitations to seminars and webinars from Keller and Heckman LLP.*

---

**From:** Harney, Matthew B.  
**Sent:** Tuesday, March 30, 2021 3:51 PM  
**To:** Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Nguyen, Thuy <Nguyen.Thuy@epa.gov>; Qian, Yaorong <qian.yaorong@epa.gov>  
**Cc:** Goodis, Michael <Goodis.Michael@epa.gov>  
**Subject:** RE: Additional testing

Hi folks,

To provide a little more background, we have a client that manufactures fluorinated HDPE containers. They are considering conducting some rinse testing in light of the EPA's testing described in the memo of March 4. However, the memo states that the testing will be expanded to include different conditions such as other solvents, rinse contact times, testing temperature, etc. We realize it may still be early in the process, but we would like to know more about what kind of alternate conditions are being considered. If you have any specifics on solvents, temperatures, etc., we would be in a better position to scope out our own testing.

If it would be easier to discuss on the phone, I am currently free any time Wednesday and Thursday.

Thanks very much,  
Matt

Matthew B. Harney, PhD  
Scientist  
**KELLER AND HECKMAN LLP**  
tel: 202.434.4126 | fax: 202.434.4646 | [harney@khlaw.com](mailto:harney@khlaw.com)  
1001 G Street, N.W., Suite 500 West | Washington, D.C. 20001

*Join our mailing list to receive industry specific information and invitations to seminars and webinars from Keller and Heckman LLP.*

---

**From:** Nesci, Kimberly <[Nesci.Kimberly@epa.gov](mailto:Nesci.Kimberly@epa.gov)>  
**Sent:** Tuesday, March 30, 2021 12:59 PM  
**To:** Nguyen, Thuy <[Nguyen.Thuy@epa.gov](mailto:Nguyen.Thuy@epa.gov)>; Qian, Yaorong <[qian.yaorong@epa.gov](mailto:qian.yaorong@epa.gov)>  
**Cc:** Harney, Matthew B. <[harney@khlaw.com](mailto:harney@khlaw.com)>; Goodis, Michael <[Goodis.Michael@epa.gov](mailto:Goodis.Michael@epa.gov)>  
**Subject:** Additional testing

Hi Thuy and Yaorong,

## Ex. 5 Deliberative Process (DP)

Best,  
Kimberly

Kimberly Nesci, Director  
Biological and Economic Analysis Division (BEAD)  
Office of Pesticide Programs  
Office of Chemical Safety and Pollution Prevention  
703-969-9109 (cell)

---

This message and any attachments may be confidential and/or subject to the attorney/client privilege, IRS Circular 230 Disclosure or otherwise protected from disclosure. If you are not a designated addressee (or an authorized agent), you have received this e-mail in error, and any further use by you, including review, dissemination, distribution, copying, or disclosure, is strictly prohibited. If you are not a designated addressee (or an authorized agent), we request that you immediately notify us by reply e-mail and delete it from your system.